



**STATE OF INDIANA
HMEP GRANT GUIDANCE
HMEP 2011/FY2012 ***

Hazardous Materials Emergency
Preparedness Grant Program

Hazardous Materials Emergency Preparedness Grant Program

PURPOSE

The purpose of the Hazardous Materials Emergency Preparedness (HMEP) Grant Program is to increase State and local effectiveness in safely and efficiently handling hazardous materials accidents and incidents; enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA); and encourage a comprehensive approach to emergency planning and training by incorporating the unique challenges of responses to transportation situations.

The HMEP Grant Program is intended to provide financial and technical assistance as well as national direction and guidance to enhance state, territorial, tribal, and local hazardous materials emergency planning and training. The program distributes fees collected from shippers and carriers of hazardous materials to emergency responders for Hazardous Material (Hazmat) training and to Local Emergency Planning Committees (LEPCs) for Hazmat planning and training.

HMEP Grant objectives include:

- ▶ Developing and Enhancing Hazmat emergency response plans (ERPs)
- ▶ Determining flow patterns of hazardous materials
- ▶ Conducting hazard analysis
- ▶ Conducting emergency response drills and exercises of Hazmat ERPs
- ▶ Assessing local response capabilities

APPLICANT ELIGIBILITY

Federal Hazardous Material Law authorizes the U.S. Department of Transportation (DOT) to provide assistance to public sector employees through planning and training grants to states, territories, and Native American tribes for emergency response. Local Emergency Planning Committees (LEPCs) in Indiana which are compliant with state statute IC 13-25-1-6 (overseen by the Indiana Emergency Response Commission [IERC]) are eligible to receive funding through these planning and training grants.

HISTORY

The HMEP grant program is carefully crafted to build upon existing programs and relationships. It increases the emphasis on transportation in ongoing efforts. The HMEP grant program was designed to support the framework and working relationships established within the National Response System and the EPCRA (SARA Title III).

The grant program evolved from a proposal developed by DOT, FEMA, EPA, DOL/OSHA, and DOE. It was presented to Congress during the legislative process to reauthorize the Hazardous Material Transportation Act (HMTA) of 1974. Federal Hazardous Material Transportation Law (FHMTL) creates an appropriate role for the federal government to provide financial and technical assistance, national direction, and guidance to enhance state and local hazardous materials emergency planning and training.

In August 2005, President Bush signed the "Hazardous Materials Transportation Safety and Security Reauthorization Act of 2005," more than doubling the HMEP grants program and providing for a new Hazmat instructor training grant.

AVAILABLE FUNDING

The HMEP grant specifies two (2) categories of funding: **PLANNING** and **TRAINING**. Annual grant awards from DOT to Indiana may total approximately \$483,256; of which the state may use 75% on behalf of LEPCs. Federally identified activities congruent with the HMEP objectives include conducting commodity flow assessments, hazards analysis, drills and exercises; assessing local response capabilities; enhancing emergency plans, and training conferences or courses.

PLANNING: The primary objective of the planning grant is to develop, improve and implement emergency plans under the Emergency Planning and

Community Right To Know Act (EPCRA), as well as determine the need for regional hazardous materials emergency response teams, and conduct commodity flow studies.

TRAINING: _The primary objective of the training grant is to train public sector employees to respond safely and efficiently to accidents and incidents involving (including the transportation of) hazardous materials.

FUNDING CRITERIA

The DOT enforces strict guidelines concerning the specifics of how HMEP grant awards may be spent by grant recipients (LEPCs). In general, the grant may fund the following LEPC activities (from Indiana Code 6-6-10-7(b)):

1. Preparing and updating a comprehensive emergency response plan required under 42 U.S.C. 11003 for the county or emergency planning district
2. Establishing and implementing procedures for receiving and processing requests from the public for information about hazardous chemicals under Title III of SARA (42 U.S.C. 11001 et seq.)
3. Training for emergency response planning, information management, and hazardous materials incident response
4. Equipping a hazardous materials response team that provides at least a district-wide emergency planning response if the equipment purchased is consistent with current training levels of the response team members

Reimbursement for equipment purchases under category 4 (above) is subject to pre-approval by DOT. A summary of some equipment purchases that may be reimbursable is as follows:

- Computer hardware—desktop, computer/laptop (eligibility based on verifiable need)
- Computer software—Computer Aided Management of Emergency Operations (CAMEO) and/or similar software management tools
- Projector/printer (eligibility based on verifiable need)
- Hazmat Training suits (levels A/B/C)
- Hazmat exercise props (see examples)
 - a. Propane tank
 - b. Propane fuel
 - c. Fog/smoke machine
 - d. Noise makers

- e. Hazardous materials training supplies
- Equipment rental for Hazmat exercises (reimbursement of all equipment rental and supply purchases will depend on the reasonableness of the cost)

Before applying for either a Planning or Training Grant, **please consider the following lists very carefully to determine if your project qualifies for HMEP aid.** Federally identified activities congruent and incongruent with the objectives outlined by the HMEP are to include, but not be limited to, the following:

PLANNING DOs:

Planning grants may be awarded to reimburse LEPCs for

- 1) Developing, improving, and implementing emergency plans under Title III
- 2) Conducting commodity flow studies
- 3) Determining the need for regional hazardous material response

HMEP Planning Grant **MAY** fund these activities:

- ✓ Development, improvement, and implementation of emergency plans required under the EPCRA, as well as exercises that test the emergency plans, or enhancement of existing emergency plans to include hazards analysis, as well as response procedures for emergencies involving transportation of hazardous materials, including radioactive materials
- ✓ An assessment to determine the flow patterns of hazardous materials to include Radioactive US DOT Class 7 shipments within the state, between states or Native American lands, and development and maintenance of a system to keep such information current
- ✓ An assessment of the need for regional hazardous materials emergency response teams or of local response capabilities
- ✓ Conduction of emergency response drills and exercises to assess ERPs
- ✓ Provision of technical staff to support the planning effort (Staff funded under planning grants cannot be diverted to support other requirements of EPCRA.)
- ✓ Other allowable expenses as indicated in 49 CFR part 110
- ✓ Additional activities the Indiana HMEP Grants Administrator and the DOT Associate Administrator for Hazardous Materials Safety (AAHMS)

deem appropriate to implement the scope of work for the proposed project plan and approved in the grant

PLANNING DON'Ts:

HMEP Planning Grant **MAY NOT** fund these activities:

- × Simulation software programs
- × Salaries for participation in exercises (Personnel costs associated with designing the exercise may be allowable.)
- × Overtime wages or backfill
- × Food items or Entertainment costs
- × Operational Equipment purchases
- × Expenses not related to hazardous materials
- × Expenses claimed and/or reimbursed by another program
- × Expenses counted as match funds toward another program
- × Expenses that supplant existing funds/programs
- × Any costs disallowed or stated as ineligible in OMB Circular A-87 or 49 CFR part 110 Final Rule
- × All other purchases or activities not approved by the Indiana Grants Administrator and the DOT AAHMS

TRAINING DOs:

Training grants will be made available to states and territories for training public sector employees to respond safely and efficiently to accidents and incidents, including those involving transportation of hazardous materials. Training may also be designed for public officials who are not responders, but who perform activities associated with emergency response plans developed under EPCRA.

The HMEP Training Grant **MAY** fund these activities:

- ✓ Delivery of comprehensive preparedness and response training to public sector employees to include:
 - Student and instructor course materials and manuals
 - Student tuition, travel and per diem costs based on IDHS guidelines
 - Training facility rental
 - Equipment rental necessary to deliver an approved course
 - Equipment purchases for use as props for training require pre-approval
 - Training audience assessment to determine the number of public sector employees employed or used by a political subdivision who need the proposed training and to select courses consistent with the National Curriculum guidelines.

The following is a list of approved training courses for the HMEP Training Grant:

- CAMEO—16 hours
 - CAMEO—Train-the-Trainer
 - Technician Course—80 hours
 - Chemistry of Hazardous Materials—80 hours
 - Operating Site Practices—80 hours
 - Incident Command—16 hours
 - Hazardous Materials Operations (Train-the-Trainer)—16 hours
 - Hazardous Medical Technician—16 hours
 - Hazardous Materials Decontamination—16 hours
 - CAMEO Marplot—16 hours
 - Hazardous Materials Technician Refresher—16 hours
 - Hazardous Materials Operation Refresher—8 hours
 - Hazardous Materials Contingency Plan Exercise Course—8 hours
- ✓ Training by a person and activities necessary to monitor such training including examinations, critiques and instructor evaluation
 - ✓ Management of the training effort to achieve increased benefits, proficiency, and rapid deployment of public service employees who respond to accidents and incidents involving hazardous materials
 - ✓ Emergency response drills and exercises, including Orientations, Drills, Tabletop exercises, functional exercises, and full-scale exercises associated with ERPs
 - ✓ Allowable supplies/expendables for use in exercises
 - ✓ Consumable materials for planning and execution of exercises (copy fees, writing utensils, etc).
 - ✓ Salaries of instructors to manage the training effort designed to result in increased benefits, proficiency and rapid deployment of local and

regional responders are allowable up to 25% of the total grant awarded.

- ✓ Additional activities the HMEP Grants Administrator and the DOT AAHMS deems appropriate to implement the scope of work for the proposed project plan and approved in the grant.

TRAINING DON'Ts:

HMEP Training Grant **MAY NOT** fund these activities:

- × Overtime or fringe benefits for participation in exercises as personal expense
- × Operational equipment to be used in emergency response
- × Hazmat simulation programs
- × Operational (vs. training) Hazmat suits or other equipment/gear.
- × Equipment rental and props.
- × Food items
- × Entertainment costs
- × Expenses not related to hazardous materials
- × Expenses claimed and/or reimbursed by another program
- × Expenses counted as match funds toward another program
- × Expenses that supplant existing funds/programs
- × National Incident Management System (NIMS)
- × All other purchases or activities not approved by the Indiana Grants Administrator and the DOT AAHMS.

EXERCISE GUIDANCE

One of the major benefits the HMEP grant program can offer LEPCs is funding for conducting small- and large-scale emergency response training exercises. The exercise funding provided may be used to conduct one large exercise or a series and combination of exercises. They may be discussion-based (seminars, workshops, tabletops or games) or they may be

operations-based (drills, functional, or full-scale). It is strongly recommended that exercise activities include partnerships with local health officials, hospitals, mental health officials, and other pertinent entities with roles in responding to and recovering from a disaster.

All exercises must at least satisfy the IERC requirements addressed on the LEPC Exercise Proposal Notification form (reference this form at www.in.gov/dhs/files/exerciseprop.pdf).

All exercises must also address the use of extremely hazardous substances in publishable amounts as defined by the EPA. All applicable substances and publishable amounts are available from the EPA at <http://yosemite.epa.gov/oswer/lol.nsf/homepage>.

For additional exercise information and suggestions, please reference the IDHS Exercise Guidance.

TYPES OF EXERCISE—EXPLAINED AND EXPLORED

1. DISCUSSION-BASED (Seminar, Workshop, Tabletop, Game): These exercise familiarize players with current plans, policies, agreements, and procedures; as well as provide a medium for developing new plans, policies, agreements and procedures. Discussion-Based exercises may involve single or multiple agencies and/or functions. There is no real-time play, and they rarely last longer than 8 hours. Though they generally only cover broad topics, they involve little or no cost, modest time commitments and are a quick method to brief persons or organizations on unfamiliar topics.

SEMINAR: Seminars are informal discussions led by a seminar leader; and are unconstrained by real-time portrayal of events. Seminars provide a good starting point for jurisdictions/organizations that are developing or making major changes to their plans and procedures.

WORKSHOP: Workshops differ from seminars in two important respects: participant interaction is increased and the focus is on achieving or building a product (such as a draft plan or policy). Some workshops are employed in conjunction with exercise development to determine objectives, develop scenarios, and define evaluation criteria.

TABLETOP: Tabletop Exercises involve key personnel discussing simulated scenarios in an informal setting. They are typically aimed at facilitating understanding of concepts, identifying strengths and shortfalls, and achieving changes in attitude. Participants are encouraged to discuss issues in depth and develop decisions through slow-paced problem solving, rather than the rapid spontaneous decision making that occurs under actual or simulated emergency conditions.

GAME: Games are simulations of operations that often involve two or more teams, usually in a competitive environment, using different rules, data, and procedures designed to depict an actual or assumed real-life situation. The goal of the game is to explore decision-making processes and the consequences of those decisions.

Discussion Based	SEMINAR	WORKSHOP	TABLETOP	GAME
PURPOSE	Provide overview of new or current plans, resources, strategies, concepts or ideas	Achieve specific goal or build product (e.g., exercise objectives, SOPs, Policies, plans)	Assist senior officials in the ability to understand and asses plans, policies, procedures, and concepts	Explore decision-making process and examine consequences of those decisions
TYPE OF PLAYER	N/A	N/A	Notional	Notional
DURATION	2-5 hours	3-8 hours	4-8 hours	2-5 hours
REAL-TIME PLAY	No	No	No	No
SCOPE	Multi- or single-agency	Multi-agency /Multiple functions	Multi-agency /Multiple functions	Multi-agency /Multiple functions

2. OPERATIONS-BASED (Drill, Functional, Full-Scale): These exercises are used to validate the plans, policies, agreements, and procedures solidified in discussion-based exercise. They can clarify roles and responsibilities, identify gaps in resources needed to implement plans and procedures, and improve individual and team performance. Operations-Based exercises are characterized by actual reaction to simulated intelligence: response to emergency conditions: mobilization of apparatus, resources, and/or networks; and commitment of personnel, usually over an extended period of time. In these exercises, player action is designed to mimic reaction, response, mobilization, and commitment of personnel and resources in real-time play which may last up to several weeks.

DRILL: A Drill is a coordinated, supervised activity usually employed to test a single, specific operation or function in a single agency or organizational entity. Drills are commonly used to provide training on new equipment, develop or test new policies or procedures, or practice and maintain current skills.

FUNCTIONAL: A Functional exercise is designed to test and evaluate individual capabilities, multiple functions, activities within a function, or interdependent group functions. Events are projected through an exercise scenario with event updates that drive activity at the management level. Functional exercises simulate the reality of operations in a functional area by presenting complex and realistic

problems that require rapid and effective responses by trained personnel in a highly stressful environment.

FULL-SCALE: Full-Scale exercises are multi-agency, multi-jurisdictional, multi-organizational exercises that test many facets of preparedness. They focus on implementing and analyzing the plans, policies, procedures, and cooperative agreements developed in discussion-based exercises, and honed in previous, smaller, operations-based exercises. During Full-Scale exercises, events are projected through a scripted exercise scenario with built-in flexibility to allow updates to drive activity. They are conducted in a real-time, stressful environment which is intended to mirror real events as closely as possible

Operations Based	DRILL	FUNCTIONAL	FULL SCALE
PURPOSE	Test a single operation or function of an agency	Test and evaluate capabilities, functions, plans, and staffs of incident command, intelligence centers, or other command /operations centers	Implement and analyze plans, policies, procedures, and cooperative agreements developed in previous exercises
TYPE OF PLAYER	Actual	Command staff actions are actual: movement of other personnel, equipment or adversaries is simulated	Actual
DURATION	2-4 hours	4-8 hours or several days or weeks	One full day or several days or weeks
REAL-TIME PLAY	Yes	Yes	Yes
SCOPE	Single agency / Single function	Multiple functional areas / multiple functions	Multi-agency / multiple functions
ADVANTAGES	<ul style="list-style-type: none"> *Allows for a single system to be isolated and analyzed in depth *Modest commitment of time, cost, & resources *Easiest to Design 	<ul style="list-style-type: none"> *Maintains an intense degree of realism *Intended to test capability of entire emergency management system *Modest commitment of time, cost, and resources 	<ul style="list-style-type: none"> *Increased realism and greater stress *Greater opportunity to evaluate integrated communication capability *Ability to evaluate mobility of resources and first responder capacity *Ability to test coordinated integrated response of entire emergency management system
DIS-ADVANTAGES	<ul style="list-style-type: none"> *Does not test integrated systems capabilities *Difficult to overload system and find weaknesses *Provides capability to evaluate only a segment of the response system 	<ul style="list-style-type: none"> *Scenario development can be difficult *Can be difficult to acquire appropriate equipment to enhance realism 	<ul style="list-style-type: none"> *Additional costs involved *greater chance of losing communication containment *Increased chance of mistaking exercise for actual emergency *Additional emphasis on safety/liability issues *Requires time commitment and a level of expertise to properly implement

MATCHING REQUIREMENT

Grant recipients "must provide 20% of the direct and indirect costs of all activities covered under the grant award program with non-Federal funds. Recipients may either use cash-in-kind...contributions, or a combination...to meet this requirement." *Title 49, Code of Federal Regulations, Part 110.60(a)*

EXAMPLE: If the total cost of an eligible project is \$50,000, the grant recipient is eligible to receive \$40,000 (\$50,000 divided by 8 x 2) in HMEP grant funding; the balance of \$12,500 is the grant recipient's non-Federal (match) share.

LEPCs MAY meet this requirement through the following sources:

- Any funds from a state, local or other non-federal source used for an eligible activity as defined in 49 CFR 110.40
- The dollar equivalent value of an eligible activity as defined in 49 CFR 110.40, provided by a state, local or other non-federal source
- The value of participants' salary while attending a planning or training activity contained in the approved grant application provided by a state, local or other non-federal source
- Salaries, fringe benefits, per diem, housing or travel expenses incurred by any person other than a State employee while attending training classes or involved with the program.
- Private contributions such as corporate contributions of facilities, equipment or services, whether public or private, such as a tankcar, cargo tank trailers, van trailer, training site, Hazmat equipment, first aid ambulance standby or classroom space.
- Facility space such as a surplus school building used as a Hazmat academy is donated to house courses or conduct exercises.
- Volunteer expenditures such as:
 - Firefighter support, emergency personnel support and the time of any LEPC member
 - A person in the community who is chemical engineer or a physician who donates their time during an exercise
 - A professor volunteers to be a trainer or train-the-trainer
 - Citizens who volunteer to set up or participate in exercises.

- University students who volunteer time to participate in exercise, or aid in data collection or exercise report generation

LEPCs **MAY NOT** meet matching requirement through the following sources:

- Funds used for matching purposes under any other Federal grant or cooperative agreement.
- Funds expended by a LEPC to qualify for the grant.

PAYMENTS

Sub-grantees will be **REIMBURSED** upon submission of properly documented, eligible expenditures to the Indiana Department of Homeland Security. To receive reimbursement LEPCs will be required to submit all back-up documentation including invoices and receipts, as well as evidence that the LEPC has met the grant's matching requirement.

The performance period for this grant follows the federal fiscal calendar year, which runs from **October 1, through September 30**, each year. Costs incurred outside the performance period are not eligible under this grant.

REPORTING REQUIREMENT

LEPC's awarded HMEP funds will be required to provide information regarding their HMEP related expenditures including, but not limited to, a detailed report on the kinds of activities, studies, and/or exercises conducted, and the number/scope of individuals who benefitted. This information must be reported at the end of the fiscal year or at any time per request by DOT or the Indiana Grant Administrator.

ADDITIONAL DOT REGULATIONS

49 Code of Federal Regulations (CFR) Part 17—Intergovernmental Review of Department of Transportation Programs and Activities:

The training and planning grant may be subject to the internal review process and/or the consultation requirements of Section 204 of the Demonstration Cities and Metropolitan Development Act. There is a single point of contact for each state. The applicant must communicate with the contact point to receive information about its review process requirements and procedures. If the program is subject to Section 204, the applicant must

notify area wide metropolitan or regional planning agencies or general government units authorized to govern planning for the locale of the applicant's project or intended application.

49 CFR Part 18—Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments: State, local and Native American tribal governments are required to be familiar with this regulation and to comply with its provisions.

49 CFR Part 20—New Restrictions on Lobbying by Recipients of Federal Funds.

49 CFR Part 21—Nondiscriminating in Federally Assisted Programs of the Department of Transportation: This rule implements the statutes prohibiting discrimination on the basis of race, color, national origin, and sex. All applicants for DOT assistance are required to be familiar with this rule and comply with this rule and its provisions.

49 CFR Part 23—Participation by Minority Business Enterprise in Department of Transportation Programs: If an applicant intends to procure goods and services with grant funds, this rule is applicable.

49 CFR Part 27—Nondiscrimination on the Basis of Handicap for Programs and Activities Receiving or Benefiting From Federal Financial Assistance: This rule implements the statutes prohibiting discrimination on the basis of a handicap. All applicants for DOT assistance are required to be familiar with this rule and comply with its provisions.

49 CFR Part 29—Government-wide Debarment and Suspension (Non-Procurement) and Government-wide Requirements for Drug-Free Workplace (Grants): Applicants requesting \$25,000 or more are required to be familiar with the regulation and to submit the certification found in the application package with their applications. In addition, grantees are required to obtain the certification from sub-recipients receiving \$25,000 or more. With regard to drug-free workplace, applicants for DOT assistance must submit the certification form required found on pages 109 and 110. Grantees must meet the requirements specified in this regulation to maintain a drug-free workplace.

49 CFR Part 90—Audits of State and Local Governments: Grantees are required to meet the audit requirements set forth in Appendix A of 49 CFR part 90.

49 CFR Part 110—Hazardous Materials Response Public Sector Training and Planning Grants: This regulation provides the organizational structure and procedures for implementing the reimbursable grant program to enhance existing hazardous materials response training and planning program.

These regulations are available on request from DOT at (202) 366-4900
<http://www.dot.gov/>, or the US Government Printing Office
<http://www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=200349>

APPLICATION PROCESS

In an effort to adequately plan for available funding and expected expenditure levels, *the deadline for budget submissions for the October 1, 2011 – September 30, 2012 (FY 2012) is **August 1, 2011**.* * Extensions of this deadline will be considered upon request on a case-by-case basis. Please see attached tentative timeline for additional information.

Applications must be submitted via the **Indiana Grants management System (iGMS)**. To gain access to the iGMS system, please contact Niki Theeuwes at ntheeuwes@dhs.in.gov or John Steel jsteel@dhs.in.gov for account activation.

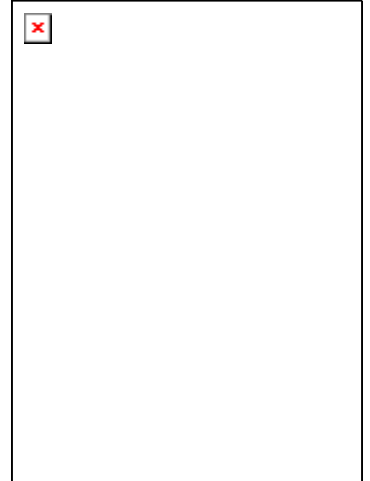
*** TIMELINE** (tentative)

ACTION	TIME FRAME	DETAILS	TARGET DATE
2009 HMEP budget submissions (FY2010)	June	opportunity for funding offered guidance sent to Sub-grantees	June 5
Deadline for Sub-grantees to submit budgets	June -August	detailed budgets submitted to Grants/IDHS	August 1
Budget Approval Process	August	IDHS Grants staff meets to review	August 15
Budget Questions	September	IDHS identify & resolve budget questions at state and or federal level	September 15
Agreements	December	sub-grant agreements out to locals for signature	Dec 1

Abbreviations Key

HMEP	=	Hazardous Materials Emergency Preparedness
EPCRA	=	Emergency Planning and Community Right-to-Know Act
Hazmat	=	Hazardous Materials
LEPC	=	Local Emergency Planning Committee
ERP	=	Emergency Response Plan
DOT	=	Department of Transportation

IERC	=	Indiana Emergency Response Commission
SARA	=	Superfund Amendments and Reauthorization Act
FEMA	=	Federal Emergency Management Agency
EPA	=	Environmental Protection Agency
DOL	=	Department of Labor
OSHA	=	Occupational Safety & Health Administration
DOE	=	Department of Energy
HMTA	=	Hazardous Material Transportation Act
FHMTL	=	Federal Hazardous Material Transportation Act
AAHMS	=	Associate Administrator for Hazardous Materials Safety
CFR	=	Code of Federal Regulations



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